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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/669,320	09/25/2003	Kazuhiro Nishiyama	28951.3026/D1	4144

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STEPTOE & JOHNSON LLP  
1330 CONNECTICUT AVE., NW  
WASHINGTON, DC 20036

EXAMINER
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CHIEN, LUCY P

ART UNIT	PAPER NUMBER
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2871

DATE MAILED: 08/24/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 10/669,320	Applicant(s) NISHIYAMA ET AL.	
	Examiner 0 Lucy P. Chien	Art Unit 2871	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 52-64 is/are pending in the application.  
     4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 52 is/are rejected.
- 7) ☐ Claim(s) 53-64 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
     a) ☒ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☒ Certified copies of the priority documents have been received in Application No. 09450415.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____.  |

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

**Claim 52** is rejected under 35 U.S.C. 102(b) as being anticipated by DeJule et al (US 5084778).

DeJule et al discloses (Figure 3B, also see below) a multitude of pixel electrodes (12"); a liquid crystal (where 40 is located, also see abstract) to which an electric field is applied by the pixel electrode (12"); an inclined structure (liquid crystal) such that an electric field direction of the liquid crystal between at least one pair of adjacent pixels is inclined against an electrode plane (see abstract); and an opposite electrode (18") that is disposed in parallel with the pixel electrode (12"); wherein the liquid crystal is held between the pixel electrodes and opposite electrode; the inclined structure (liquid crystal molecule) is such that a nonconductive portion (gap between the electrodes) is provided in a part of the opposite electrode that is opposite to a gap between at least one pair of adjacent pixel electrodes (12"); and a side of the pixel electrode is opposite to the opposite electrode, and the other side of the pixel electrode is opposite to the nonconductive portion (gap between the electrode) (see below)

The prior art does not disclose nor is it obvious to combine a reference that discloses the specifics of the non-conductive portion having specific shape, width, direction, distance, position such as where the non-conductive portion with a rectangular shape having a longer side in Y direction and a larger width in X direction than a distance between a pixel  $p(4m, 4n+1)$  and a pixel  $p(4m+1, 4n+1)$ , which includes an opposite electrode corresponding to each of at least a part of a gap between a pixel  $p(4m, 4n)$  and a pixel  $p(4m+1, 4n)$  as well as at least a part of a gap between a pixel

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p (4m, 4n+1) and a pixel p (4m+1, 4n+1); including the specifics of a second, third, and fourth non-conductive portions.

Claims 56-61, are dependent upon Claim 53, therefore is allowable.

Claims 63,64 are dependent upon Claim 62, therefore is allowable.

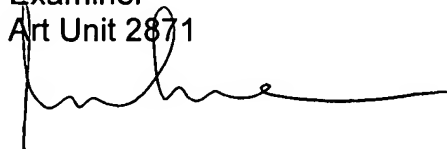
### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lucy P. Chien whose telephone number is 571-272-8579. The examiner can normally be reached on M-F 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Nelms can be reached on (571)272-1787. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Lucy P Chien  
Examiner  
Art Unit 2871



QUONG T. NGUYEN  
PRIMARY EXAMINER